

NEWBURGER URGED TO ENTER PRIMARY

Friends Believe Anti-Murphy Feeling Would Make Him Defeat Undermyer.

AGE LIMIT IS QUESTIONED

County Clerk Schneider and
Others to Confer on Entire
Anti-Tammany Ticket.

Associates of Irwin Undermyer, thirty-three-year-old son of Samuel Undermyer, lost no time yesterday in beginning an attack upon Justice Joseph E. Newburger, who announced Sunday he would fight the attempt of Charles F. Murphy and the inner circle of the Tammany Wigwam to abet him.

Charles S. Guggenheimer gave out a statement yesterday in the offices of Guggenheimer, Undermyer & Marshall, 130 Broadway, of which he is a partner in association with Irwin Undermyer.

The opening paragraph of the statement cast confusion upon the question of the age of Justice Newburger, who has stated that he was born in 1853. It intimated that Undermyer's friends had something up their sleeve, which would be produced at the right time.

"The statement that Judge Newburger, if elected, would be permitted to serve four years of the fourteen year term for which the election is to be held," the paragraph ran, "is surprising to those who know the facts, unless one's age becomes a stationary factor as he approaches the age of 70 years. Wisely decided by our Constitution. When the time comes, if that fact becomes material, the records would be produced."

Mr. Guggenheimer, asked what evidence he had reference to, replied that it was some sort of petition. It developed that Mr. Guggenheimer had the impression that a Justice must retire from the bench the day he becomes 70 years old, whereas the Constitution provides that it shall be the next succeeding December 31. This misapprehension accounted for one of the years he had out of Justice Newburger's term of service, if reflected.

Question of Length of Service.

Half of the statement was based on the hypothesis that Justice Newburger would have only one year to serve.

"If," it continued, "the principle which Judge Newburger now appears so anxious to vindicate, for his own incidental benefit, is that political parties should be forced to retire, the Justice who would have two years, or one year for that matter, of a new fourteen year term, rather than to select young, vigorous men, who can serve out the term, may not find the voters taking so kindly to this method of squandering the people's money in continuous elections as he and his friends imagine, especially since the State has now shown its appreciation of their service by the new system of making them official referees."

"Judge Newburger's confidence in his strength with the Democratic party on that issue is demonstrated by his wholehearted refraining from entering the primaries of his own party and in an open, democratic way of contending for the nomination in the summer provided by law instead of giving aid and comfort to the opposition party by endeavoring to furnish them with an issue against the party that has continuously shown its honors upon him during his long life."

In connection with this argument of the partner of Mr. Undermyer's son it was learned last night that former Justice Francis M. Scott, who is head of the Committee of the Bar, which has filed a petition placing Justice Newburger in the Democratic primary, has gone to Bluff Point. His object is to ask the Justice to reconsider his decision not to accept the designation.

Former Justice Scott and other prominent members of the bar are convinced that the feeling of resentment is so strong in Tammany that Justice Newburger would be able to defeat Mr. Undermyer there. If he should do so it would be an even greater rebuke to Mr. Murphy than would be involved in winning in the general election.

The committee of the bar will file a supplemental petition to-day containing many more names. The Republican organization will do the same.

Advice for Bar Associations.

The third paragraph of Mr. Guggenheimer's statement was an indirect suggestion to the Bar Associations that it would be unwise to recommend Justice Newburger in preference to Mr. Undermyer. It read:

"The misleading impression sought to be created by Justice Newburger's friends that when the time comes for the Bar Associations to make their recommendations to the voters as to the comparative fitness of the several candidates they should support the useful function as non-partisan advisers and will recommend to the voters the support Judge Newburger as against other equally capable and worthy candidates who would serve the full term, is a grave injustice by the Bar Associations. I feel sure they will do nothing of the kind."

Lastly Mr. Guggenheimer pointed out that as there are two places to be filled on the Supreme Court bench and the voter puts crosses against two names in the group of candidates of all parties, Justice Newburger will not be running specifically against Mr. Undermyer more than against Philip J. McCook, the Republican candidate, or any of the other candidates.

This was declared by a Tammany man to be a suggestion that voters might vote for both Justice Newburger and Mr. Undermyer. If this should be done to any considerable extent, he pointed out, it was quite possible that Justice Robert L. Luce might be again disappointed in his ambition to be elected to the Supreme Court bench. The last time he ran the voters in the Bronx, thinking only of geographical pride rather than party, voted both for Justice Mitchell, who was a Democrat, and Justice Mulvan, a Republican, both of whom lived in the Bronx.

Judge Smith to Enter Lists.

William F. Schneider, County Clerk and head of the Cleveland Democracy, said last night that Judge Richard H. Smith, a member of its organization, who was also turned down by Tammany, would run in the Democratic primaries.

Before the end of the week Mr. Schneider will confer with the representatives of the Democratic insurgents in the other boroughs, the plan to consider putting a straight anti-Tammany ticket in the field. Dr. Arthur E. Keating will represent Queens county. Former assemblyman William J. Ellis of The Bronx probably will represent that borough and Charles Harwood, president of the Brooklyn Democracy, is looked upon as the logical leader of the movement in Brooklyn. Some of the insurgents are advising that they endorse Representative F. H. La Guardia, the Republican candidate for President of the Board of Aldermen, in order to make the defeat of Tammany all the more bitter.

The Housing Problem

No. 8

The housing situation is really in the hands of the public itself.

If it will support the mortgage market, the Title Guarantee & Trust Company can be the agency of transmitting that support immediately into the construction of houses.

We sell the mortgages with payment of principal and interest guaranteed by the Bond & Mortgage Guaranty Company, \$10,000,000 guaranty, and on sales of such mortgages amounting to \$700,000,000 no investor has ever lost a dollar.

We offer our services to the investing public and the owner and builder. We can go as far as the investing public permits us to go. The housing crisis can be taken care of if we act together. Neither one alone can do it.

TITLE GUARANTEE AND TRUST CO.

LIONS AND TIGERS RAN SHIP IN STORM

Mrs. Scott Hayes Tells of
Panic When Menagerie Was
Turned Loose.

Capt. W. T. Crossley of the Grace Line steamship Santa Lucia, in from ports of the west coast of South America, by way of the Panama Canal, told yesterday of the ravages of the onshore blast that hit the ship while her husband, including interned German liners, had been wrecked. Some of the sailing craft had been hurled high and dry inland, hundreds of yards from the beach.

Mrs. Maud A. Hayes, wife of Scott Hayes, son of Rutherford B. Hayes, who has been travelling in South America several months with her husband, including interned German liners, had been wrecked. Some of the sailing craft had been hurled high and dry inland, hundreds of yards from the beach.

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POWDER MAGAZINE \$9,000 PRICE TO BLOWS UP; 2 HURT CUT TAX \$54,000

Camp Baritan Arsenal Threatened With Destruction Following Explosion.

BLAST FELT MILES AWAY

People in Neighboring Towns Flee in Panic—Main Building Is Saved.

The Federal arsenal at Camp Baritan, N. J., near New Brunswick, one of the largest in the country, was threatened with destruction at 1 o'clock yesterday afternoon by an explosion in the powder magazine. Two persons were injured and the wrecked buildings burst into flames. Energetic work on the part of the fire department prevented the blast from spreading to the main structure, which is used as a general ordnance depot for the storage of high explosives, shells and shrapnel.

The injured are Edward Warner of Silver Lake, N. J., and Andrew Sestank of Sayreville, N. J., both civilians. They were taken to the camp hospital. The condition is not serious.

The explosion occurred when a crew unloading a box car dropped a six-inch shell in the doorway of the powder magazine, which immediately went up with a detonation heard eight miles away. The shock was felt a distance of four miles. Windows were broken and many persons knocked down. The building surrounding the magazine caught fire and the flames spread with great rapidity. The camp fire department deluged them with water to prevent their reaching the main building. Later there were three other explosions, the last one about 6 o'clock.

Residents of Lindenau, Bonhampton and neighboring towns, fled in a panic, and the roads leading into New Brunswick were jammed with refugees. The fire for a time threatened the Nixon nitrate plant, a few hundred yards away from the arsenal, and all the employees were ordered out of the buildings. The fire was checked, however, before it reached there.

Col. H. D. Herring, who commands the post in the absence of Col. E. Andrews, is conducting an investigation. He refused to give out any information pending the result of the inquiry. At 7 o'clock a statement was issued that all danger was over. Sentries were posted, however, and all persons were kept a mile away from the wrecked building.

Some of the big cats were killed by their keepers, but most of them were amenable to discipline and were captured. Mrs. Hayes and her husband went up on a bridge to avoid being crowded by the animals.

The Mantaro had a travelling menagerie aboard which was much agitated by still another storm that smashed cages and let loose lions and tigers, not of the strenuous Asiatic or African variety, but mighty fierce looking, and scores of monkeys that ran aloft and strung themselves along the rigging and screamed with fear. Some of the big cats were killed by their keepers, but most of them were amenable to discipline and were captured.

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